

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOHN BENSON,
Plaintiff,

v.

Civil Action No. 05-11112-RWZ

MARRIOTT INTERNATIONAL, INC.
Defendant.

**DEFENDANT'S OPPOSITION TO COUNSEL'S MOTION
TO WITHDRAW APPEARANCE**

Pursuant to Local Rule 7.1(B)(2), the Defendant, Marriott International Inc., files its opposition to Plaintiff's Counsel's Motion To Withdraw Appearance dated February 20, 2006.

As grounds for its opposition, the defendant states as follows:

1. Plaintiff's Counsel's Motion, as filed, is not preceded or accompanied by a notice of the appearance of other counsel as required by Local Rule 83.5.2(c).
2. Subsequent to the filing of Plaintiff's Counsel's Motion, the Defendant has filed a Motion To Enforce Settlement Agreement Or To Amend Its Answer. The Defendant alleges that a settlement of this case was agreed upon between counsel and that such agreement should be enforced. Plaintiff's counsel should not be permitted to withdraw his appearance until the Court has dealt with Defendant's pending motion.

For these reasons, the motion of Plaintiff's Counsel to withdraw his appearance should be denied.

Respectfully submitted,

MARRIOTT INTERNATIONAL, INC.
By its attorney,

/s/ Kevin B. Callanan

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Certificate of Service

I hereby certify that a true copy of the foregoing document was served on counsel of record for the plaintiff, John W. Davis, Davis & Davis P.C., 77 Franklin Street, 3rd Floor, Boston, MA 02110 by e-mail and by regular mail on February 24, 2006.

/s/ Kevin B. Callanan

Kevin B. Callanan